

## **REMARKS**

Upon entry of the present amendment, claims 1, 3-5, 18, 20-21, 38, and 43-50 will remain pending in this application. Applicants respectfully submit that no new matter is added in the above amendments.

Claims 1, 3-5, 18, 20-21, 38 and 43-50 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Claims 1-5, 18-21, and 38 stand rejected under 35 U.S.C. §102(e) as being allegedly anticipated by United States Patent 6,704,743 (“Martin”). Applicants respectfully traverse.

### ***Rejections under 35 U.S.C. §112, First Paragraph***

Claims 1, 3-5, 18, 20-21, 38 and 43-50 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The Examiner believes that the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed matter.

In particular, the Examiner notes that the following claimed features in claims 1, 18 and 38 are not supported by the as-filed disclosure: “defining an initial discrete storable unit of information having a type structure; attaching the extension to the type structure of the initial discrete storable unit of information; and, creating a new discrete storable unit of information.”

First, it should be noted that Applicants have amended claims 1, 18 and 38 slightly to indicate that a discrete storable unit of information having a type structure is defined (as opposed to an “initial” discrete storable unit of information having a type structure). Further, the limitation “creating a new discrete storable unit of information” has been amended to read “creating a customized discrete storable unit of information.”

Regarding the term “discrete storable unit of information having a type structure,” Applicants refer the Examiner to paragraph [0016] of the specification, where an Item is defined as “a discrete storable unit of information ...” Indeed, claim 1 initially included the language “... said Item constituting a discrete storable unit of information that can be manipulated ...”

With respect to the limitation “attaching the extension to the type structure of the initial discrete storable unit of information,” it will be seen from paragraph [0335] that “Extensions provide additional data structures (Properties, Relationships, etc.) to already existing Items type structures.” Thereafter, the specification states in paragraph [0336] that the extensions “must be attached to an Item or Nested Element.”

Clearly, when the extension is attached to the type structure of the discrete storable unit of information, a customized discrete storable unit of information is created.

In light of the foregoing explanation, Applicants respectfully traverse the rejection of independent claims 1, 18 and 38 under 35 U.S.C. §112, first paragraph, as well as all claims depending directly or indirectly therefrom. Reconsideration and withdrawal of such rejections are respectfully requested.

***Rejections under 35 U.S.C. §102(e)***

Claims 1-5, 18-21, and 38 stand rejected under 35 U.S.C. §102(e) as being allegedly anticipated by United States Patent 6,704,743 (“Martin”). Applicants respectfully traverse.

Applicants have amended independent claims 1, 18 and 38 to better reflect their invention. In particular, such claims involve attaching an extension representative of a desired additional data structure to the type structure of a discrete storable unit of information. By doing so, customers are able to create or customize new schemas (see paragraphs 0335-0336 of the specification).

The Martin reference discloses a technique for managing entities in an object-oriented environment which permits the selective inheritance of parameters or field from parent entities and into child entities responsive to persistent indications of the inheritability of such parameters or fields stored in a non-volatile memory.

The present invention is related to data storage and a new form of data known as Items. Since an Item type defined by the initial set of storage platform schemas may not exactly match an ISV application’s need, it is necessary to allow independent software vendors (ISVs) to customize the type. Contrary to the child entities in Martin, this customization is accomplished by means of strongly typed instances known as extensions.

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**PATENT**

Upon review of the Martin patent, it is not seen where the portions thereof cited by the Examiner in the current Office Action are equivalent to the limitations in the pending claims. Because of the difference between “Items” in the present application and “objects” in Martin, as well as the difference between “extensions” and “child entities,” Applicants request that the rejections under 35 U.S.C. §102(e) be withdrawn.

Accordingly, Applicants respectfully submit that independent claims 1, 18, and 38 are patentable over the cited reference. Applicants further submit that claims 3-5, 20-21 and 43-50 are patentable at least by reason of their dependency from claims 1 and 18. Accordingly, reconsideration and withdrawal of the 35 U.S.C. § 102(e) rejections is respectfully requested.

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**CONCLUSION**

In view of the above amendments and remarks, Applicants respectfully submit that the present application is in condition for allowance. In view of the above amendments and remarks, Applicants respectfully request reconsideration of the present application.

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